

1
2
3
4
5
6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
8

9 Joseph McConnell,

10 Plaintiff,

11 v.

12 Commissioner of Social Security
13 Administration,

14 Defendant.

No. CV-21-00452-TUC-SHR (BGM)

Order Adopting R&R

15
16 On March 20, 2023, Magistrate Judge Bruce G. Macdonald issued a Report and
17 Recommendation (“R&R”) in which he recommended the Court reverse the decision of
18 the Commissioner and remand this matter. (Doc. 22.) The R&R notified the parties they
19 had fourteen (14) days from the date of the R&R to file any objections. (*Id.* at 35.) No
20 objections have been filed.

21 If neither party objects to a magistrate judge’s report and recommendation, the
22 District Court is not required to review the magistrate judge’s decision under any specified
23 standard of review. *Thomas v. Arn*, 474 U.S. 140, 150 (1985); *see also United States v.*
24 *Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc) (district court only needs to
25 review magistrate judge’s findings and recommendations *de novo* if objection is made).

26 In this case, the deadline for filing objections was April 3, 2023. As noted, no
27 objections have been filed, and neither party has requested additional time to do so.
28 Therefore, the Court may adopt the R&R on that basis alone. *See Schmidt v. Johnstone*,

1 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003) (district court declined to review the magistrate
2 judge's report because no objections were filed). Accordingly,

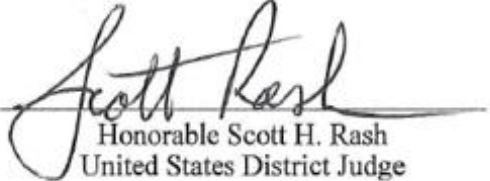
3 **IT IS ORDERED** Magistrate Judge Macdonald's Report and Recommendation
4 (Doc. 22) is **ADOPTED**.

5 **IT IS FURTHER ORDERED** the final decision of the Commissioner of Social
6 Security is **REVERSED** and the case is **REMANDED** for further proceedings consistent
7 with this Order.

8 **IT IS FURTHER ORDERED** the Clerk of Court shall enter judgment accordingly
9 and close the file in this case.

10 Dated this 10th day of April, 2023.

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28



Honorable Scott H. Rash
United States District Judge